

REMARKS

Claims 1-39 are pending in the present application. In view of the following Remarks, allowance of the pending claims is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1, 4-6, 9-12, 15, 16, and 19-39 under 35 U.S.C. §103(a) as allegedly being unpatentable over Hotaling, et al (U.S. Patent No. 5,124,912). Applicant respectfully traverses this rejection for at least the following reasons.

As for independent claims 1, 4, 5, 6, 25, 32 and 33, Applicant respectfully submits that the Examiner has not established that each and every feature of these claims are taught in Hotaling in view of the Official Notice taken by the Examiner for at least the following reasons. The Examiner alleges in the Office Action mailed on April 15, 2003 that Hotaling teaches a system for scheduling time intervals including a "graphical user interface means permitting a user to view a list of the one or more potential invitees that are available, the one or more potential invitees that are not available, and the one or more potential invitees whose schedule could not be found (Fig. 11; col. 9, lines 50-53; col. 10, lines 1-10)" (see page 5, last paragraph). The Examiner further takes Official Notice that it would have been obvious for one of ordinary skill in the art to filter such data because "[s]uch a capability is commonly utilized to aid a user in focusing on specific subsets of data at a time, thereby making analysis of the data easier than *if an excessively large amount of varying data were presented at once*" (emphasis added, see Office Action mailed on April 15, 2003, page 6). Applicant respectfully disagrees with this assessment because Hotaling et al. does not teach or suggest a presenting a view of a list of "those whose schedule could not be found" nor is there any suggestion of determining such data in Hotaling et al.

At best, Hotaling et al. teaches providing an "NP" designation to those invitees who are "not participating in the Meeting Management service" (see col. 10, lines 3-5). A non-participant is *not the same* as "invitees whose schedules could not be found" since *one could be a participant and yet have no schedule*. Thus, Applicant respectfully

submits that Hotaling et al., in view of the Official Notice taken, *does not* teach or suggest at least the claimed feature of “a viewing option displaying the one or more potential invitees whose schedule could not be found.” Hotaling et al. is therefore deficient for at least not teaching or suggesting this feature.

For at least this reason, Applicant submits that independent claims 1, 4, 5, 6, 25, 32 and 33 are patentably distinguishable over Hotaling et al. in view of the Official Notice taken. Similarly, dependent claims 9-12, 15, 16, 19-24, 26-31, and 34-39 are patentable at least by virtue of their dependency.

Claims 2, 3, 7, 8, 13, 14, 17, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hotaling et al. in view of Tognazzini (U.S. Patent No. 5,790,974). Applicant respectfully traverses this rejection on the following basis.

The Examiner acknowledges that “Hotaling does not explicitly take invitee and event location into account in order to determine invitee availability for a particular event” (see page 9, paragraph number 5 of the April 15, 2003 final office action) and relies on Tognazzini for disclosing this feature. Tognazzini is directed to a personal calendar system that alerts the calendar system user whenever a conflict is determined to exist based on the travel times between already scheduled events and new entries.

Assuming, *arguendo*, that Tognazzini discloses the feature of taking invitee and event location into account in order to determine invitee availability for a particular event, as alleged by the Examiner, the combination of Hotaling et al. and Tognazzini remains deficient because Tognazzini does teach the deficiencies of Hotaling, as discussed above for the independent claims, from which claims 2, 3, 7, 8, 13, 14, 17, and 18 depend. For at least this reason, Applicant submits that dependent claims 2, 3, 7, 8, 13, 14, 17, and 18 are allowable at least by virtue of their dependency.

Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,


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